



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA



Date: May 19, 2014

To: Thomas J. Bonfield, City Manager
Through: Keith Chadwell, Deputy City Manager
From: Steven L. Medlin, AICP, Planning Director
Subject: TC1300003 - Watershed Protection Overlay - Rural Villages

Summary. Staff has prepared TC1300003, Watershed Protection Overlay - Rural Villages, in order to implement recommendations from the planning process that took place for the Village of Rougemont (see Attachment A). This proposed text amendment to the Unified Development Ordinance (UDO) would adjust the following regulations regarding lot size and impervious surface limits in the Rougemont Rural Village:

- 1) Decrease the minimum lot size from three acres to one acre; and
- 2) Increase the impervious surface limit from six percent to 24 percent.

The Durham County Board of Commissioners approved TC1300003 on March 24, 2014, by a vote of 4-1.

This text amendment would have no effect within City limits. Staff is bringing this item to the City Council in order to keep the UDO consistent between the two jurisdictions.

Recommendations. Staff recommends approval of this text amendment to the Unified Development Ordinance. The Durham Planning Commission recommended approval, by a vote of 12-0, on February 11, 2014. Planning Commission comments are shown in Attachment B. The Durham County Board of Commissioners approved this text amendment on a 4-1 vote at its March 24, 2014, meeting.

Background. Planning staff initiated the *Village of Rougemont Plan* in April 2012 in fulfillment of *Durham Comprehensive Plan* policy 2.5.3c, Rural Village Plans. As part of its public outreach effort, staff conducted six community meetings from May 2012 to February 2013. The objectives of the meetings were:

- 1) Explain the project and the planning process to the public;
- 2) Determine land use issues of greatest concern to Rougemont residents;
- 3) Conduct visioning exercises and a design charrette;
- 4) Explain available options for addressing the issues identified;
- 5) Develop staff recommendations based on comments received; and
- 6) Present staff recommendations to the public in order to determine the community's level of support.

Based on the input received from the community and staff analysis, a set of recommendations were put forth:

- 1) Amend the Future Land Use Map of the Durham Comprehensive Plan to move the Commercially-designated land from along Red Mountain Road to a node centered on the intersection of US Highway 501 and Red Mountain Road;
- 2) Amend the UDO to decrease the minimum lot size within Rural Villages in the Michie/Little River Protected Area (M/LR-B) from three acres to one acre; and
- 3) Amend the UDO to increase the impervious surface limit in this area to 24 percent.

The proposed text amendment has been reviewed and approved by the North Carolina Department of Natural Resources to ensure compliance with state regulations regarding water supply watersheds. The Durham Board of County Commissioners accepted these recommendations at their June 3, 2013 meeting, and directed the Planning Department to begin implementation of these recommendations. This proposed text amendment implements items 2 and 3 above. Item 1 above was approved by the Durham County Board of Commissioners on a 5-0 vote at its March 24, 2014, meeting.

Issue. Soils in the Village of Rougemont vary greatly in capacity for effluent absorption. While the establishment of a one acre minimum lot size in the *Unified Development Ordinance* may allow some land owners more flexibility in developing their land as multiple lots, it should be noted that, in many cases, a one acre lot will most likely not be feasible. It is also important to note that allowing a one acre minimum lot size would not compromise, or take precedence over, County septic system requirements.

Staff Contact

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Attachments

Attachment A, TC1300003 - Watershed Protection Overlay - Rural Villages, Mark-up Copy
Attachment B, Planning Commission Comments